

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

The A.P. Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (Act No.1 of 1986) – Order of detention made by the Collector and District Magistrate, YSR District, Kadapa against Sri Kadapa Venkataiah, S/o Chinnaiah, aged 43 years, R/o. Sukkavaripalli (V), Nandalur (M), YSR District – Case referred to Advisory Board- Confirmation – Orders – Issued.

GENERAL ADMINISTRATION (LAW & ORDER.II) DEPARTMENT

G.O.Rt.No. 1908

Dated:01-05-2012

Read the following:-

- 1 Order of detention in Ref.C1/336/2012, dt. 05-04-2012 of the Collector & District Magistrate, YSR District, Kadapa.
2. G.O. Rt. No. 1656, G.A. (L&O.II) Dept., dated 16-04-2012.
3. From the Advisory Board, Report, dated 23-04-2012.

ORDER:

WHEREAS the Collector and District Magistrate, YSR District, Kadapa, made an order of detention vide reference 1st read above, against Sri Kadapa Venkataiah, S/o .Chinnaiah, aged 43 years, R/o. Sukkavaripalli (V), Nandalur (M), YSR District and presently staying at Madhanamohanapuram, Chinthakayalapalli, Nandalur (M), YSR District, under section 3 (2) & (1) of the Andhra Pradesh Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (Act No.1 of 1986), for repeatedly indulging himself in the activities of illicit cutting, storing, transport and smuggling of Red Sanders' in contravention of Forest Laws, Indian Penal Code and with a view to prevent him from further indulging in a manner which is prejudicial to the maintenance of public order; and public wealth.

2. AND WHEREAS the Government have accorded approval of the said detention order under sub-section (3) of Section-3 of the Act, vide Government orders second read above, and referred the matter to the Advisory Board on Preventive Detentions.

3. AND WHEREAS the Advisory Board constituted under section-9 of the said Act, comprising of Sri Justice T.L.N. Reddy (Retired), Chairman and two other Members, reviewed the case on 23-04-2012 and after having heard the detenu and the Investigating Officers and also after perusing the connected records, reported vide reference third read above, that in its opinion "there is sufficient cause for the detention of the detenu, Sri Kadapa Venkataiah, S/o .Chinnaiah, aged 43 years, R/o. Sukkavaripalli (V), Nandalur (M), YSR District and presently staying at Madhanamohanapuram, Chinthakayalapalli, Nandalur (M), YSR District"

4. WHEREAS, the Government after careful examination of the entire record, observed that the detenu, Kadapa Venkataiah, is found to be involved in as many as 5 (Five) cases in Chitvel Forest Range for illicit cutting, storing, transportation of Red Sanders heartwood, causing willful destruction of Red Sanders and damage to the public property under various provisions of AP Forest Act, 1967 and under of A.P. Red Sandal Wood and Red Sander Wood Transit Rules, 1969, and under section 379 of IPC, 104, 34, 120-B, 149 of IPC, which are prejudicial to the maintenance of public order and public wealth. The said offences are punishable under Forest Act, as well as Chapter XVII of IPC, as such the activities of the individual falls under and within the meaning of 'Goonda' as defined under sec. 2(g) of Act 1 of 1986. The series of cases registered against him at regular intervals reveal that he

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is habituated to willful destruction of pristine Red Sander Forests, and by his illegal acts he is not only corroding the rare species of pristine red sanders and national wealth, but also leading to disturbance of the current life of community and disturbing the tranquility of the society and the general public are too terrorized by muscle power of Goonda elements associated with the offender thereby he became the source of potential danger to the public order at large. In catena of decisions, the Hon'ble Courts held that 'any acts of attempt or illegal cutting of the red sander trees and smuggling the timber, would certainly have its impact on the public order.' The Collector & District Magistrate, having satisfied that the activities of the individual are dangerous to forest wealth and prejudicial to maintenance of public order and public wealth and the series of cases booked against him failed to curb his illegal activities; the detenu is trying to get bail in the cases booked against him and if he comes out on bail, he will definitely indulge in similar offences which are prejudicial to maintenance of public order, has passed the detention order by invoking the provisions under Act No.1 of 1986. The advisory Board, after review of the case, has opined that there is sufficient cause for detention of the detenu. As such, the detenu deserves the maximum period of detention, as provided under section 13 of the Act.

5. NOW, THEREFORE, after due consideration of the report of the Advisory Board and the material available on record, Government, in exercise of the powers conferred under sub-section (1) of Section-12 read with Section-13 of the said Act, hereby confirm the Order of Detention first read above, made by the Collector & District Magistrate, YSR District, Kadapa, as approved by the Government in the G.O. 2nd read above, and direct that the detention of Sri Kadapa Venkataiah, S/o .Chinnaiah, aged 43 years, of Y.S.R.District, be continued for a period of 12 months from the date of his detention, i.e. **13-04-2012.**

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

PANKAJ DWIVEDI
CHIEF SECRETARY TO GOVERNMENT

To

Sri Kadapa Venkataiah, S/o .Chinnaiah, aged 43 years,
R/o. Sukkavaripalli (V), Nandalur (M), YSR District and
presently staying at Madhanamohanapuram, Chinthakayalapalli,
Nandalur (M), YSR District, detenu **through** the Superintendent,
Central Prison, Cherlapalli, R.R. District

The Superintendent, Central Prison, Cherlapalli, R.R. District.

(with instructions to serve the order on the detenu immediately under proper acknowledgement and arrange to read over and explain the contents therein to the detenu in the language known to him and report compliance to Government).

The Collector and District Magistrate, YSR, District, Kadapa

The Divisional Forest Officer, Rajampet, YSR District.

The Superintendent of Police, YSR District, Kadapa.

The Director General and Inspector General of Police, A.P., Hyderabad.

The Director General and Inspector General of Prisons and Correctional Services, A.P., Hyderabad.

The Addl. Director General of Police (Intelligence), A.P., Hyderabad.

Sf /Sc.

// FORWARDED:: BY ORDER//

SECTION OFFICER (SC)